

Remarks

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

By this Amendment, Applicant has amended claim 2 to provide a clearer presentation of the claimed subject matter. Claims 1, 4, 5 and 10-14 have been cancelled. Claim 15 has been added. Applicant submits that no new matter has been introduced. Accordingly, claims 2, 3, 6-9 and 15 are pending for examination.

In the pending Office Action, the Examiner objected to the specification for certain informalities. Applicant submits that by virtue of this amendment, the informalities indicated by the Examiner have been corrected. Accordingly, the immediate withdrawal of the objections to the specification is respectfully requested.

Applicant respectfully traverses the rejections, under 35 U.S.C. §103(a) for the following reasons:

Rejections under 35 U.S.C. § 103(a)

Claims 1-5, 7-10 and 13 have been rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over U.S. Patent No. 6,057,051 (Uchida et al.) in view of U.S. Patent No. 5,229,222 (Tsutsumi et al.).

First of all, claim 1, 4, 5, 10 and 13 have been cancelled, and thus the rejections thereof are moot.

Independent claim 2 is directed to an electronic apparatus including a fuel cell and *first and second fuel tanks*, and positively recites, *inter alia*, ***a setting unit configured to set the order in which the first fuel tank and the second fuel tank are used. (Emphasis added).***

These features are amply supported by the embodiments disclosed in the written description. For example, the written description discloses that the order in which the fuel tanks are used is set on a setting screen which is displayed on the LCD 141. (See, e.g., Specification: page 13, line 25- page 14, line 2 and FIG. 6).

Applicant submits that the cited portions of Uchida et al. fail to disclose or render obvious the electronic apparatus as recited claim 2. In fact, the Examiner concedes that "Uchida et al. do not disclose a connector unit which is provided on the body and which enables a fuel tank unit capable of housing a second fuel tank holding fuel for the fuel cell to be connected to a housing for the body." (Office Action, page 3).

Applicant also submits that the cited portions of Uchida et al. fail to disclose *a setting unit configured to set the order in which the first fuel tank and the second fuel tank are used*, as recited in claim 2.

Moreover, Applicant submits that the cited portions of Tsutsumi et al. do not overcome the shortcomings of Uchida et al. For example, Tsutsumi et al. disclose a fuel cell system including a fuel cell 1 which generates electric power from hydrogen gas. The hydrogen gas is supplied from a hydrogen absorbing alloy in the main tank 2 in starting the fuel cell system and from the sub tank 5 during a steady-state operation. (See, e.g., Tsutsumi et al., col. 6, lines 10-32). The hydrogen absorbing alloy in the sub tank 5 has a higher equilibrium pressure than the equilibrium pressure in the main tank 2 at an equal pressure. (See, e.g., Tsutsumi et al., col. 6, lines 33-35). Tsutsumi et al. also disclose another embodiment where hydrogen gas is supplied from the first hydrogen storing device 65 or second hydrogen storing device 66. The hydrogen storing device 66 desorbs the hydrogen gas at a higher temperature than a first device 65. (See, e.g., Tsutsumi et al., col. 13, lines 47-50).

As such, in starting the fuel cell system, the hydrogen gas to be supplied to the fuel cell 1 is inevitably desorbed from the alloy in the sub tank 5 (the first hydrogen storing device 65), not from the alloy in the main tank 2 (the second hydrogen storing device 66). In fact, the alloy

in the main tank 2 has not desorbed the hydrogen gas until the fuel cell system starts and the temperature in the main tank 2 is increased to a certain level by virtue of the exhaust heat from the fuel cell 1. (See, e.g., Tsutsumi et al., col. 7, lines 8-16).

On the other hand, during the steady-state operation, the hydrogen gas used for power generation is supplied by the hydrogen absorbing alloy in the second hydrogen storing device 66. (See also Tsutsumi et al., col. 14, lines 4-6). This hydrogen gas from the second hydrogen storing device 66 is also supplied to the hydrogen absorbing alloy in the first hydrogen storing device 65, where the hydrogen absorbing alloy absorbs the hydrogen gas. (See, e.g., Tsutsumi et al., col. 14, lines 7-10). Accordingly, during the steady-state operation, the first hydrogen storing device 65 never supplies the hydrogen gas to the fuel cell 1.

With this said, Applicant points out that, in the fuel cell system disclosed in Tsutsumi et al., the order in which the sub tank 5 and the main tank 2 supplies the hydrogen gas is fixed. Since this order depends on the equilibrium pressures of the alloys in the sub tank 5 and the main tank 2 and equilibrium is an inherent characteristics of alloys, it is impossible to change or set this order once these tanks are installed in the fuel cell system.

The Office Action alleges that "Uchida et al. disclose a setting unit (i.e. a controller) configured to set the first fuel tank to supply fuel to the fuel cell." (Office Action, pages 4-5). However, the controller in Uchida et al. does not set ***the order in which the first fuel tank and the second fuel tank are used***, as recited in claim 2, rather just controls the flow of hydrogen. (See, e.g., Uchida et al., Abstract). Moreover, since the fuel cell disclosed in Uchida et al. have a single fuel tank, the controller never sets ***the order in which the first fuel tank and the second fuel tank are used***.

The Office Action also alleges that "Tsutsumi et al. disclose a setting unit (i.e. a controller) configured to set one of the second fuel tank to supply fuel to the fuel cell." (Office Action, page 5). Again, however, the controller in Tsutsumi et al. does not set ***the order in which the first fuel tank and the second fuel tank are used***, as recited in claim 2, rather,

controls an amount of the hydrogen gas supplied to the fuel cell. (See, e.g., Tsutsumi et al., col. 3, lines 56-57).

For at least those reasons, Applicant submits that the cited portions of Tsutsumi et al. do not teach or suggest ***a setting unit configured to set the order in which the first fuel tank and the second fuel tank are used***, as recited in claim 2.

Accordingly, for at least the foregoing reasons, Applicant submits that the cited portions of Uchida et al. and Tsutsumi et al. fail to disclose or render obvious each and every element of independent claim 2; and the rejection of independent claim 2 under 35 U.S.C. § 103(a) over Uchida et al. in view of Tsutsumi et al. is improper and should be withdrawn. Moreover, because independent claim 15 recites similar patentable features as claim 2, claim 15 is patentable for at least the same reasons presented relative to claim 2.

Claims 3 and 6-9 depend independent claim 2, and are therefore patentable for the reasons noted above with respect to claim 2, as well as for the features they recite individually. As noted above, claims 1, 4, 5 and 10-14 have been cancelled, and thus the rejections thereof are moot.

Therefore, Applicant respectfully submits that the rejection under 35 U.S.C. §103(a) of claims 1-14 over Uchida et al. in view of Tsutsumi et al. should be withdrawn and the claims 2, 3, 6-9 and 15 be allowed.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

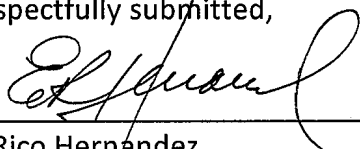
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

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